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ALAMEDA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

1 ARTUR STEPANYAN,

2 Plaintiff,

3 v.

4 COUNTY OF ALAMEDA; UNITED
5 STATES MARSHALS SERVICE, ICE,
AND DOES 1 through 49, inclusive,

6 Defendant

CASE NUMBER: 17-CV-3839 JSC

**STIPULATION AND PROPOSED ORDER
FOR MOTION TO STAY CASE**

7
8 Pursuant to Civil Local Rule 7-11, the Plaintiff and the Defendants hereby move the Court
9 for an order extending the stay in the above captioned case from November 30, 2018 to February
10 20, 2019. The parties are requesting an extension of the stay in order to a facilitate the two
11 matters pending which have not been resolved to date and will affect the Plaintiff's decision
12 whether to file an amended complaint.
13

14 1. On March 5, 2018 the Plaintiff made a Freedom of Information Act (FOIA) request
15 for the Plaintiff's immigration file. The request was received on March 7, 2018. The
16 Plaintiff's file is needed in order to establish the Plaintiff's alleged fugitive status
17 which was the subject of argument at the hearing on the Defendant's Motion to
18 Dismiss before your honor on February 8, 2018. Plaintiff has not yet received a
19 response to this request. Plaintiff's request is currently number 1002 of 47715 pending
20 requests in track two (Exhibit A). Track two requests are typically processed in 119
21 business days. Plaintiff anticipated receipt of the request on or before November 30,
22 2018, however, it remains pending. In the time since the last request for a stay on
23 September 25, 2018 433 requests have been processed.
24

25 2. Plaintiff's criminal case was on calendar before Judge Breyer on October 23, 2018 for
26 status and setting of motions and trial dates. Judge Breyer's set a further status hearing
27

1 for February 13, 2019 at which time Plaintiff should know when the criminal case will
2 be set for trial.

3 NOW THEREFORE, the parties through their respective counsel agree and hereby
4 stipulate that good cause exists under the foregoing circumstances to extend the stay granted in
5 this matter through and including February 20, 2019 at which time the Plaintiff must elect to file
6 an amended complaint or apply to the Court for such other relief as deemed necessary.
7

8 Dated: 11.28.18

Respectfully submitted,

9
10 By: /s/
11 David M. Helbraun

12
13 By: /s/
14 Karen McConville
Attorneys Artur Stepanyan

15
16 By: /s/
17 Timothy P. Murphy
Attorney for Defendant
COUNTY OF ALAMEDA

18
19 By: /s/
20 Wendy M. Garbers
Assistant United States Attorney
21 Attorney for Defendants United States of
22 America, United States Marshal Service and
Immigration and Customs Enforcement

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IT IS SO ORDERED:

Dated:

JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE